

Harvis & Fett

GABRIEL P. HARVIS

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June 14, 2017

BY ECF

Honorable Richard J. Sullivan
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 6/14/17

Re: *Rodriguez v. City of New York, et al.*, 16 CV 2113 (RJS)

Your Honor:

I represent plaintiff in the above-referenced civil rights action. I write to respectfully request relief in connection with the Court's order dated June 13, 2017.

In its June 13th order, the Court directed plaintiff to serve defendant Singh with the complaint and summons and file a certificate of service on ECF. *See* DE # 23. At the time plaintiff filed his complaint, he did not know defendant Singh's name and shield and identified him only as "John' Singh." Plaintiff is now in possession of this defendant's full name and shield, but upon information and belief, the Clerk of the Court will not issue a summons in the defendant's true name without the complaint being amended to reflect the same.

In light of the foregoing and with the consent of the defendant, plaintiff respectfully requests that the Court: 1) deem the complaint amended to replace the name of defendant "John Singh" with "Mandeep Singh, Shield No. 1166;" and 2) direct the Clerk of the Court to issue plaintiff's proposed summons annexed hereto at Exhibit 1. In the alternative, if it should please the Court, plaintiff respectfully requests leave to file an amendment changing the name of defendant Singh in the manner described herein.

Hon. Richard J. Sullivan

June 14, 2017

MEMO ENDORSED

I thank the Court for its consideration of this matter.

Respectfully submitted,



Baree N. Fett

cc: Daniel Oliner, Esq.

Plaintiff shall file, no later than June 15, 2017, an amended complaint including the proper name of Defendant Singh. Plaintiff shall thereafter serve the amended complaint and the Court's June 13, 2017 Order upon Defendant Singh. The Clerk is respectfully directed to terminate the letter motion pending at docket number 24.

SO ORDERED

Dated:

6/14/17

RICHARD J. SULLIVAN
U.S.D.J.

